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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,888	05/31/2001	Yoshifumi Tanimoto	81800.0157	2068

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EXAMINER
GRANT II, JEROME

ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-14* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1,2,4-8,10-12 and 14* is/are rejected.

7) ☒ Claim(s) *3,9 and 13* is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

JERO/ GRANT II
PRIMA...

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date *11-15-2004*.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

Detailed Action

1.

An intended use clause found I the preamble of an apparatus claim is not afforded the

effect of a distinguishing limitation unless the body of the claim sets forth structure

which refers back to, is defined by, or otherwise draws life and breadth from the

preamble. See In re Casey 152 USPQ 235 (CCPA 1967). Hence, the facsimile

apparatus and the web server are not afforded to be a distinguishing limitation.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4-8, 10-12 and 14 are rejected under 35 U.S.C. 102(e) as being

anticipated by Govett.

With respect to claim 1, Govett teaches an   apparatus having a web server function

(by apparatus 12) comprising: control means (portmapper 16') for executing a plurality

of HTTP tasks (see col. 4, lines 48-65) having different port numbers (RPC program

Numbers) on the basis of instructing information (col. 4, line 67 to col. 5, line 6) from a

plurality of client machines (C1-CN) operated by a plurality of users; and storage

means (transaction manager 110) for storing a table that defines relationship between

the port numbers of the HTTP tasks and specified information, wherein the control

means refers to the table to execute the HTTP tasks having port numbers which

process specified information corresponding to the users (see col. 5, lines 15-24 and

45-53).

With respect to claim 2, Govett teaches wherein the table has an order of priority

with respect to the HTTP task port numbers (see col. 5, lines 18-20), and the control

means executes the HTTP tasks in compliance with the order of the priority allotted to

the task port numbers, see col. 5, lines 10-21.

With respect to claims 4 –6 , this claim is met with respect to the teaching at col. 7,

lines 44-46 of Govett regarding the authorization to client machines for performing the

tasks according to col. 4, lines 48-53.

With respect to claim 7, Govett teaches a web server 12' comprising: control means

(portmapper 16') for executing a plurality of HTTP tasks (see col. 4, lines 48-65) having

different port numbers (RPC program Numbers) on the basis of instructing information (

col. 4, line 67 to col. 5, line 6) from a plurality of client machines (C1-CN) operated by

a plurality of users; and storage means (transaction manager 110) for storing a table

that defines relationship between the port numbers of the HTTP tasks and specified

information, wherein the control means refers to the table to execute the HTTP tasks

having port numbers which process specified information corresponding to the users

(see col. 5, lines 15-24 and 45-53).

With respect to claim 8, Govett teaches   wherein the table has an order of priority

with respect to the HTTP task port numbers (see col. 5, lines 18-20), and the control

means executes the HTTP tasks in compliance with the order of the priority allotted to

the task port numbers, see col. 5, lines 10-21.

With respect to claim 10, Govett teaches a computer readable media (memory

address according to col. 4, lines 41-48) for recording a program (service application) to

be executed by a computer (processor 12), comprising: a first program code means

(portmapper 16') for causing a computer 12 to execute a plurality of HTTP tasks (see

col. 4, lines 48-65) having different port numbers on the basis of instructing information

from at least one client machine (client 1- client N) ; and second program code means

 (transaction manager 110) for causing   the computer 12 to store a table that defines

relationship between the ort numbers of the HTTP tasks and user ID information of the

respective client machine, wherein the first program code means refers to the table to

decide which HTTP tasks should be executed on the basis of the port numbers and ID

information, see col. 5, lines 15-24 and lines 45-53.

With respect to claim 11, Govett teaches an apparatus shown by figure 2 having a

web server function, comprising: : control means (portmapper 16') for executing a

plurality of HTTP tasks (see col. 4, lines 48-65) having different port numbers (RPC

program Numbers) on the basis of instructing information (col. 4, line 67 to col. 5, line

6) from a plurality of client machines (C1-CN) operated by a plurality of users; and

storage means (transaction manager 110) for storing a table that defines relationship

between the port numbers of the HTTP tasks and specified information, wherein the

control means refers to the table to execute the HTTP tasks having port numbers

which process specified information corresponding to the users (see col. 5, lines 15-24

and 45-53).

With respect to claim 12, Govett teaches wherein the table has an order of priority

with respect to the respective HTTP tasks (see col. 5, lines 18-21) and the controller

executes the respective HTTP task in compliance with the order of priority (see col. 5,

lines 10-21)

With respect to claim 14, Govett teaches where the controller gives authentication to

the respective client as claimed. Govett teaches at col. 7, lines 44-46 that authorization

is given to client machines for performing the tasks according to col. 4, lines 48-53.
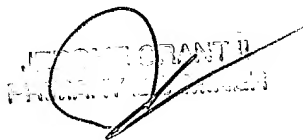
2.

Claims Objected to As Containing Allowable Matter

Claims 3, 9 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

3   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jerome Grant II whose telephone number is 703-305-

4391. The examiner can normally be reached on Mon.-Fri. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kimberly A Williams, can be reached on 703-305-4863. The fax phone

number for the organization where this application or proceeding is assigned is 703-

872-9306.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

J. Grant II